



5-18-05

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Patrick W. Turley	
Appln. No. : 10/701,205	
Filed : November 4, 2003	Group Art Unit: 3654
Title : CASSETTE DEVICE FOR RELIABLE FILAMENT DELIVERY	Examiner: Nguyen, John Quoc
Docket No. : S697.12-0070	

RESPONSE

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SENT VIA EXPRESS MAIL
Express Mail No.:

EV302276117US**REMARKS**

This is in response to the Office Action mailed on May 3, 2005, in which a restriction requirement was raised. The Office Action indicated that the application contains claims directed to the following patentably distinct species of the claimed invention: Specie 1, FIGS. 1-5; Specie 2, FIGS. 6-10; and Specie 3, FIGS. 11-14. The Office Action requested an election of the species, and a listing of all claims readable thereon. The Office Action suggested that claims 1-3, 12, 17 and 18 are generic.

The Office Action does not state any reason why the suggested species are patentably distinct or why the restriction is proper. While not agreeing with these findings, Applicant elects Specie 1, which is covered by claims 1-7, 10-14, and 17-20.

For generic claims, a restriction requirement is improper. M.P.E.P. § 809.02(d). Applicant confirms the Office Action's suggestion that claims 1-3, 12, 17 and 18 are generic. However, Applicant submits that claims 5, 10, 11, 19, and 20 are also generic.

Claim 5 is dependent on generic claim 3. In addition, claim 5 includes a means for locking the spool with a pin inserted into the aligned recesses of the cassette and spool. Species 1 and 2 involve aligning two recesses: a hole in the cassette and notches on the spool flange. After alignment, a pin is